

REMARKS

Applicant has carefully reviewed and considered the Office Action mailed January 31, 2007. Reconsideration of the application is respectfully requested in view of the foregoing amendments and comments set forth below.

By this Amendment, independent claims 1 and 12 are amended. In addition, new claims 13-14 depending from claim 1 are presented. Accordingly, claims 1 and 3-14 are pending in the present application.

35 U.S.C. § 103(a) Rejection based on Logan and Carley

Claim 1-2 and 4-12 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,721,827 to Logan et al. (hereinafter referred to as Logan) in view of U.S. Patent No. US 6,701,345 B1 to Carley et al. (hereinafter referred to as Carley). Applicant respectfully traverses this rejection.

Logan is directed to a system for electrically distributing personalized information which organizes and transmits program segments to client subscriber locations. It is the Examiner's position that column 1, line 52 through column 2, line 6 of Logan describes the recited division processing section of claim 1 and the associated step recited in claim 12 of the present application. However, Logan discloses a library of programs being subdivided into program segments, which are associated with a subject category description and a program topic description that describes the content of each individual program segment.

Contrary to the Examiner's characterization of Logan, the subdivision of a library into program segments is not **based on the predetermined divisions or separators** as recited in independent claims 1 and 12 of the present application. The "descriptions

which are of interest to a particular subscriber” are periodically matched against the characteristics of each *stored* program segment as disclosed in column 2, lines 3-4 of Logan. That is, the program segments disclosed by Logan have already been subdivided and stored *before* the server subsystem matches subscriber characteristics to the stored program segments. Nowhere does Logan disclose, teach or remotely suggest that the subscriber characteristics are used to subdivide the library of programs. Thus, Logan fails to disclose, teach or suggest the recited division processing section that divides “a body of an e-mail into the plurality of information elements based on predetermined divisions or separators” set forth in independent claims 1 and 12 of the present application.

According to the claimed invention, a predetermined division is a mark or a separator for dividing the text of an e-mail with structure (e.g., the em dots of Figure 10 visually separates different articles in a mail magazine). That is, each article of a mail magazine (information element) has an information structure (e.g., em dots) that can be viewed by a user to detect information of information elements consistent with a predetermined division. In addition, the division processing section stores patterns related to multiple types of divisions as described on page 12, lines 21-25 of the present application. Nowhere does Logan disclose, teach or suggest storing patterns in a division processing section. Logan also fails to disclose visual information structure that is consistent with a predetermined division. Consequently, Logan fails to disclose the recited division processing section of claims 1 and 12.

In contrast to the claimed invention, Logan describes personal interests, characteristics and preferences of a subscriber that are associated with the programs *after*

they are subdivided from the library. The subscriber characteristics of Logan do not determine how a body of an e-mail is divided. Logan is silent as to how the audio program is separated from another program in the library. Instead, Logan is directed to transmitting program segments to client locations based on preferences associated with a client/subscriber. Preferences are not a mark or a separator that can be viewed by a user, as the predetermined divisions or separators and information structure of Applicant's claimed invention are required by claims 1 and 12.

With respect to the extraction processing section, claims 1 and 12 recite a logical structure is allocated to each of the information elements divided by the division processing section. According to Page 3, line 24 - Page 4, line 2 of the Office Action, it is the Examiner's position that since a SKIP command can be subdivided into two types: SKIP SUBJECT and SKIP TOPIC, it meets the recited "logical structure" of claims 1 and 12 of the present application. However, claims 1 and 12 of the present application state that the "logical structure" indicates "a meaning of each information in each of the information elements". The Office Action is silent as to how the SKIP commands indicate the meaning of each information in each of the information elements. Logan discloses that the SKIP SUBJECT command allows a user to skip over all the program segments within that subject and resume playback, while SKIP TOPIC skips to the next topic. Thus, Logan does not disclose "logical structure" allocated to each of the information elements that indicates the meaning of each information in each of the information elements.

In addition to the above recited elements of the claims, the Examiner acknowledges that Logan does not disclose "a notification notifying a user of the

information element selected by the condition determination section”. It is the Examiner’s position that the secondary reference to Carley discloses in column 14, lines 48-53 such an element. However, Carley simply discloses that a message can be sent to a user station indicating whether the divisible portions of the data meet the predetermined criteria. That is, Carley discloses that data can be divided into divisible portions and a message can be sent to a user. There is no disclosure a message can be sent notifying a user of information selected by a condition determination section. Consequently, there is no motivation to modify the technology different system of Logan to include a notification section to notify the user of a selected information element (program segments).

Further, the alleged “condition determination section” of Logan’s player mechanism 103 is controlled by the user. In the operation of Logan’s player mechanism, it is the user who selects the favorite program (column 12, lines 8-15 of Logan). Thus, there is no reason to notify a user of Logan’s system that a program segment has been selected. Consequently, it is respectfully submitted that one of ordinary skill in the art would not have been motivated to add the recited “notification section” in view of the different technology taught by Carley and because the user is the one who in Logan who selected the program.

Carley fails to disclose, teach or suggest the recited division processing section and extraction processing section, as argued above. Thus, Carley cannot render the claimed invention set forth in independent claims 1 and 12 obvious. Dependent claims 3-11 are allowable at least for the reasons given above with respect to independent claim 1. Withdrawal of this rejection is respectfully requested.

Support for new claims 13 and 14 can be found on page 12, lines 21-25 and page 12, line 26 through page 13, line 2 of the present application, respectively. Dependent claim 14 positively recites a stored pattern comprising three groups of information: leads, summaries and URL's. Nowhere does any of the prior art of record disclose the a division processing section that divides the body of an e-mail based on stored patterns by detecting sections consistent with one of the patterns (claim 13), nor does the prior art of record disclose the pattern recited in claim 14.

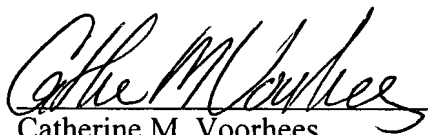
Conclusion

In view of the foregoing comments, it is believed that claims 1, and 3-14 are allowable over the prior art of record. Accordingly, it is respectfully requested that a Notice of Allowance be issued indicating that claims 1, and 3-14 are allowed over the prior art of record.

Should the Examiner believe that a conference would advance the prosecution of this application, the Examiner is encouraged to telephone the undersigned counsel to arrange such a conference.

Respectfully submitted,

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